



11-16-04

AF

Atty. Docket No.: 21715/1010

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Pelletier, et al.  
Serial No.: 09/689,952  
Filed: October 12, 2000  
Entitled: Compositions and Methods Involving  
an Essential Staphylococcus Aureus  
Gene and its Encoded Protein

Examiner: Kam, C.M.  
Group Art Unit: 1653  
Conf. No.: 7855

**CERTIFICATE OF MAILING UNDER 37 CFR 1.10**

I hereby certify that the paper (and any paper or fee referred to as being enclosed) is being deposited with the United States Postal Service using Express Mail to Addressee Service, under 37 C.F.R. Section 1.10, Express Mail Label No. EV242759075US on this date, November 15, 2004, postage prepaid, in an envelope addressed to Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Kathleen M. Williams

Name of Person Mailing Paper

Signature of Person Mailing Paper

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**TRANSMITTAL LETTER**

Enclosed for filing in the above-identified patent application, please find the following documents:

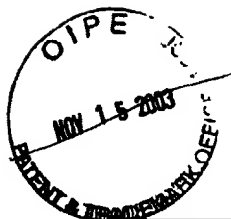
1. Response to Final Office Action mailed July 26, 2004;
2. Forty (40) sheets of informal drawings of Figs 1-16;
3. Abstract of the Disclosure (on separate page);
4. Petition for one month extension of time;
5. Notice of Appeal; and
6. Return Post Card.

The Commissioner for Patents is hereby authorized to charge any fees to Deposit Account No. 16-0085, Reference 21715/1010. A duplicate of this transmittal letter is enclosed for this purpose.

Respectfully submitted,

Date: 11/15/04

Name: Kathleen M. Williams  
Registration No.: 34,380  
Customer No.: 29933  
Palmer & Dodge LLP  
111 Huntington Avenue  
Boston, MA 02199-7613  
Tel: 617-239-0100



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Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**PETITION FOR EXTENSION OF TIME**

Dear Sir:

Applicant respectfully petitions under 37 C.F.R. § 1.136(a) for an Extension of Time of one month(s) to file a Response in the above-identified patent application. This will serve to extend the time for filing the Response to the Final Office Action mailed July 26, 2004 from October 26, 2004, up to and including November 26, 2004.

Pursuant to 37 C.F.R. § 1.17, an extension fee of \$55.00 for maintaining the pendency of the present application is required. The Commissioner of Patents is hereby authorized to charge fees to Deposit Account No. 16-0085, Reference No. 21715/1010. A duplicate of this letter is enclosed for that purpose.

Respectfully submitted,

Date: 11/15/04

Name: Kathleen M. Williams  
Registration No.: 34,380  
Customer No.: 29933  
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Signature of Person Mailing Paper

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**TRANSMITTAL LETTER**

Enclosed for filing in the above-identified patent application, please find the following documents:

1. Response to Final Office Action mailed July 26, 2004;
2. Forty (40) sheets of informal drawings of Figs 1-16;
3. Abstract of the Disclosure (on separate page);
4. Petition for one month extension of time;
5. Notice of Appeal; and
6. Return Post Card.

The Commissioner for Patents is hereby authorized to charge any fees to Deposit Account No. 16-0085, Reference 21715/1010. A duplicate of this transmittal letter is enclosed for this purpose.

Date: 11/15/04

Respectfully submitted,

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Kathleen M. Williams

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**NOTICE OF APPEAL PURSUANT TO 37 CFR § 1.191(a)**

Sir:

Applicant hereby appeals to the Board of Appeals and Patent Interferences from the decision of the Primary Examiner dated January 8, 2004, in which the rejection of Claims 1-8, 13, 14, 17-20, and 22-25 were made final.

[ X ] The Commissioner of Patents is hereby authorized to charge the fee of \$170.00 to Deposit Account No. 16-0085, Reference No. 21715/1010 for filing this Notice of Appeal under 37 C.F.R. § 1.17(b). A duplicate of this letter is enclosed for that purpose.

The following checked items are appropriate:

[ X ] A response to the final rejection:

[ ] was filed previously,

[ X ] accompanies this paper.

[ X ] A petition for extension of time under 37 C.F.R. § 1.17(b) for one month accompanies this paper.